

# **BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (CID)**

## **Minutes**

**September 29, 2009**

- 1) A Meeting of the Board of Directors of the Buckhead Community Improvement District was held on September 29, 2009 pursuant to legal notice in the Regent Partners Conference Room located on the 15<sup>th</sup> Floor of Tower Place 100 Building, 3340 Peachtree Road, Atlanta, Georgia. Chairman David Allman called the meeting to order at 3:35 pm.

The Board Secretary checked off attendance and reported that a quorum was present. Members in attendance in addition to Mr. Allman were: John Lundeen, Vice Chairman, Larry Gellerstedt, Charles Ackerman, Robin Loudermilk, Claude Petty, and Scott Selig. Jim Durrett, Executive Director, Denise Starling, Executive Director for BATMA, Brian McHugh, Project Manager, Lynn Rainey, Board Attorney, Sara Cuomo, BATMA and BCID Office Manager, and Jo-Anne Carlson, Board Secretary were also present. Guests present included Derek Crider of MARTA GPC, John Crocker of MARTA / TIB, Ryan Rawls of Jones Lang LaSalle, Ed Rooney of Jones Lang LaSalle, Eric Cox of American Coach, Wanda Morganstern (organizing a SSCID), Sean Pharr of URS, and Garth Peters of the Buckhead Coalition.

- 2) A draft of the Minutes from the August 25, 2009 Board meeting was reviewed. Mr. Lundeen put forth the motion to approve the Minutes; seconded by Mr. Gellerstedt. The motion passed unanimously.

Treasurer's Report: Mr. Durrett noted the inclusion of the standard monthly reports and payables in the board packets and gave a brief review. He mentioned that the 2009 bills for taxes should be mailed out by the middle of October, and we should start seeing receipts by the middle of December. Mr. Rainey confirmed this. Mr. Durrett noted a \$213.00 payable from Egon Zehnder International – this amount is over-budget and needs to be approved by the Board. A motion to approve a payment of \$213.00 to Egon Zehnder for services rendered in the Executive Director search was made by Mr. Lundeen; seconded by Mr. Gellerstedt. The motion passed unanimously.

- 3) Shuttle Report: Ms. Starling referred the board to the shuttle report on page 15, and mentioned that ridership is down, as is the typical trend for this time of year. College Park told GRTA that they are serious about taking all ten shuttle buses; they will also be hiring a consultant to work on an operating plan. Mr. Allman asked for more

# **BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (CID)**

## **Minutes**

**September 29, 2009**

specific information at the next board meeting. Ms. Starling mentioned that GRTA has some extra funding available which could be used for 'the buc'. Also, she is slowly working on holiday promotions for 'the buc'. Ms. Starling invited the Board to attend BATMA's Go Green / Commute Clean Awards ceremony on October 29<sup>th</sup>, which will also celebrate BATMA's ten-year anniversary.

Ms. Starling noted that, at the BATMA Board retreat, facilitated by Otis White, discussions took place about ARC and the potential for reduced funding from that organization. The funding from ARC constitutes around 50 percent of BATMA's revenue. The goals were how to move forward should funding be cut. Ideas considered included sustainability, finding other funding sources, land use and environmental applications. The Board asked Ms. Starling to send them a copy of the executive summary of the retreat for review.

4) Van Pool Report: Ms. Starling told that board that there are currently 18 vans in operation, and she is working on contracts for 2010. In response to a question from Mr. Allman, she said that there is currently no need for more money from the CID as they are still using the funds previously approved by the CID, having spent approximately \$40,000 of \$250,000 budgeted.

5) Executive Director's Report:

a. Relationship Building: Mr. Durrett informed the board that he has been contacting, and continues to reach out to, members of the Buckhead community – board, civic and otherwise – to get to know everyone.

b. Peachtree Boulevard Project Update:

1) Phase II – Funding and Bid Let Schedules: Mr. McHugh told the board that the bid let date should be around November 6<sup>th</sup>, and that construction would begin around 60 days after that. The project construction cost is estimated at \$14.6 million, using federal stimulus funds. The risk of overruns is on the GDOT. He mentioned that he is working with the City of Atlanta on obtaining easements for water meters; he is also working with URS to draft these easements. Mr. McHugh has met with five property owners regarding easements, and he is working with Phipps, Lenox, and the property on Stratford road to get the SAPs done on time.

# **BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (CID)**

## **Minutes**

**September 29, 2009**

- 2) Phase II – PR Budget: Mr. McHugh noted that the CID is working with Brennan Robison, formerly of Alisias, to get schedules and a PR plan in place for Phase II construction, using Phase I as a guide. A discussion ensued.
  - 3) Peachtree Phase III – Study and Evaluation – Mr. McHugh reminded the Board that \$7,500 was approved at the last meeting to work with URS on a study of the Phase III area, from Shadowlawn to Maple. Work has begun, and around two weeks from now, stakeholder meetings will begin.
- c. Piedmont Corridor Implementation:
- 1) Habersham: Mr. McHugh told the Board that he met with GDOT on site three weeks ago regarding the Habersham issue. He said he has had a major breakthrough as the GDOT now sees the issue in a different light and this might work in our favor. Widening may be designed symmetrically and for a longer distance. A discussion ensued. Mr. McHugh also mentioned that the original Kimley-Horn contract had expired. URS and Kimley-Horn have submitted new proposals, and Mr. McHugh will contract with Kimley-Horn in an amount not to exceed \$67,000, which is within our previously budgeted amount.
  - 2) 3 / 2 Conversion & Peachtree / Pharr Segment: Mr. McHugh referred the Board to page 22 of the Board packet. URS continues to work on the traffic study.
- d. SPI-9: Ms. Starling referred the Board to the schedule in the supplemental section of the packet. It shows the process and approximate time it will take to complete it. She reminded the Board that the City, on review of the previously submitted document, asked to change the SPI-9 overlay to a stand-alone district.
- e. Village Streetscape Program: Mr. Durrett told the Board that he and Brian McHugh met with Ben Carter Properties staff concerning the Village and future plans. They were told the earliest date for construction would be January 2010. Mr. Durrett also met with the Woodruff contingent and related this information to them. They said they would be patient regarding their grant. He told the Board to think of a plan B for the Village. Mr. Loudermilk expressed concern over the state of the Village and urged greater investment by the CID into infrastructure and services in the Village. Mr. McHugh mentioned that a while back, he had gotten a quote of \$46,000 for basic sidewalks in the area. Mr. Lundeen would like more

# **BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (CID)**

## **Minutes**

**September 29, 2009**

information on this. Mr. Petty cautioned to guard against performing work that would place the CID in jeopardy of liability. Mr. Durrett asked the Board to think of ideas for the upcoming special board meeting on November 11<sup>th</sup> for the Village issue. Mr. Allman would like to know what the land value is for the Ben Carter property in the Village, and taxes paid.

- f. Concourse Bridge update: Mr. Durrett referred the Board to the milestones on page 23. The Board noted an error in the dates, and Mr. McHugh said he would fix it. Construction is projected to begin in January 2011. Mr. Durrett also noted the draft memorandum on page 24 which says that MARTA wants to remove the expectation of vehicular use for the bridge. The board expressed no opposition to such a revision as vehicular traffic appears impractical. No action is required at this time as it is a draft document, but may be required in the future.
- g. Board Retreat Follow-up Meeting: Mr. Durrett told the Board that the follow-up meeting for the Board retreat will take place on November 11<sup>th</sup>. Details as to time and place, as well as documents, will be circulated prior to the meeting.
- h. CID Expansion: – Mr. Durrett told the Board that he is working on a meeting with Tim Stack and David Allman to discuss expansion into Brookwood. He also mentioned possibly including the remainder of the SPI-9 zoning district in the CID.
- i. Sustainable Atlanta Ordinance: Mr. Selig and Ms. Starling gave an update on the status of the proposed ordinance. A discussion followed. Mr. Selig mentioned that he has sent Mr. Durrett a copy of the redlined draft he and others submitted regarding the ordinance, and Mr. Durrett said he would pass it on to the Board

### **6) New Business:**

a) AMTRAK presentation – Mr. Durrett introduced John Crocker of MARTA who gave a brief overview of AMTRAK's goals pertaining to moving its Brookwood station to Lenox, Brookhaven or Doraville, creating a Northeast Intermodal Station, and how this relates to MARTA, as well as future challenges. A discussion ensued.

b) National Transportation Database Audit – Ms. Starling referred the Board to page 26 of the packet which shows a draft of the NTD Audit as of June 30, 2009. She said that the audit was clean. It is a process done every year and is required for funding. A motion was placed before the board by Mr. Loudermilk to approve the NTD Audit as of June 30,

# **BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (CID)**

## **Minutes**

**September 29, 2009**

2009; seconded by Mr. Lundeen. Unanimously approved by the Board.

c) PR Phase II - Mr. McHugh referred the Board to a handout showing a scope of work for PR in Phase II. A motion was placed before the board by Mr. Loudermilk to approve an agreement with JBR Communications, Inc. with a PR Budget for Phase II not to exceed \$17,000; seconded by Mr. Ackerman. Unanimously approved by the board.

d) LCI Call For Projects (SPI-12) – Ms. Starling told the Board about ARC’s call for projects. She suggested the submission of SPI-12 for updates – SPI-12 covers the commercial core. Applications are due November 20<sup>th</sup>, 2009. The Board wanted to know why the need for an update. Mr. Allman asked for a more detailed explanation at the next Board meeting.

e) URS Phase II Contract and Proposed Budget – Mr. McHugh told the Board that he would like to close out the Phase I URS contract, and have a budget in place to work with URS hourly, as needed, for Phase II. A motion was placed before the board by Mr. Lundeen to approve a budget of up to \$20,000 on an hourly basis to consult with URS on Phase II; seconded by Mr. Petty. Unanimously approved by the Board.

Mr. Durrett mentioned the upcoming BBA Quarterly Luncheon to the Board and asked that those interested in attending contact Jo-Anne Carlson. He also congratulated Charles Ackerman and David Allman for the awards they received from ULI.

7) The meeting adjourned at 5:17 pm. The next regularly scheduled Board meeting will be in the same location on October 27 at 3:30 pm.

APPROVED BY THE BOARD, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Secretary